IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 827 of 2002 (M/B)

1. State of Uttaranchal
   Through Principal Secretary (Finance)
   Secretariat Uttaranchal
   Dehradun
2. Commissioner Trade Tax
   Uttaranchal, Dehradun. ….Petitioners

Versus

1. Public Services Tribunal Uttaranchal,
   Dehradun
2. B.B. Mathpal, s/o Sri G.C. Mathapal,
   Presently posted as Trade Tax Officer,
   Kashipur, Udham Singh Nagar. ….Respondents.

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Mr. K.P. Upadhyaya, Standing Counsel, learned counsel for the petitioners.
Mr. Manoj Tiwari, Advocate, learned counsel for the Respondent No. 2.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

RAJEEV GUPTA, C.J. (Oral)

1. State of Uttaranchal and Commissioner Trade Tax, Uttaranchal, Dehradun are challenging the order dater 23.07.2002 passed by the Public Services Tribunal, Uttaranchal in Claim Petition No. 09 of 2002, whereby the adverse entry recorded in the character roll of the claimant for the year 1995-96 was expunged and the petitioners were directed to ignore the impugned entry for all intents and purposes while considering the claimant's case for promotion, crossing of Efficiency Bar and all other allied service prospects.

2. The learned State Counsel for the petitioners vehemently argued that the Tribunal has erred in interfering in the matter. On

going through the impugned order we are satisfied that the Tribunal's order does not suffer from any infirmity whatsoever. In this view of the matter, the petition fails and is hereby dismissed.

(P.C. Verma, J.) (Rajeev Gupta, C.J)

08.02.2006
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